

IC 14-25.5-2

Chapter 2. Enforcement

IC 14-25.5-2-1

Inspection to determine violation

Sec. 1. A division inspector or a person authorized by the department may at any reasonable time enter upon public or private property to determine if there is a violation of:

- (1) an article listed in IC 14-25.5-1-1; or
- (2) a rule adopted under an article listed in IC 14-25.5-1-1.

As added by P.L.145-2002, SEC.3.

IC 14-25.5-2-2

Notice of violation

Sec. 2. The department may issue a written notice of violation if a person violates:

- (1) an article listed in IC 14-25.5-1-1; or
- (2) a rule adopted under an article listed in IC 14-25.5-1-1.

As added by P.L.145-2002, SEC.3.

IC 14-25.5-2-3

Notice of violation; contents

Sec. 3. A notice of violation issued under this chapter must include the following:

- (1) The nature of the violation.
- (2) The action that is appropriate to mitigate the violation.
- (3) The date by which the violation must be mitigated.
- (4) The procedure to obtain administrative review if a person is aggrieved by the issuance of the notice of violation.

As added by P.L.145-2002, SEC.3.

IC 14-25.5-2-4

Applicability of adjudicative proceedings to notice of violation

Sec. 4. A notice of violation issued under this chapter is governed by IC 4-21.5-3-6.

As added by P.L.145-2002, SEC.3.

IC 14-25.5-2-5

Notice of violation effective without proceeding; request for administrative review

Sec. 5. A notice of violation issued under this chapter becomes effective without a proceeding under IC 4-21.5-3 unless a person requests administrative review under IC 4-21.5-3-6 within thirty (30) days after receipt of the notice.

As added by P.L.145-2002, SEC.3.

IC 14-25.5-2-6

Failure to mitigate violation; penalties; permit revocation

Sec. 6. A person who fails to mitigate a violation within the time set forth in a notice of violation is liable for:

(1) a civil penalty;
(2) permit revocation; or
(3) the sanctions under both subdivisions (1) and (2);
under IC 14-25.5-4.
As added by P.L.145-2002, SEC.3.